



# House of Representatives

General Assembly

**File No. 56**

February Session, 2002

Substitute House Bill No. 5205

*House of Representatives, March 18, 2002*

The Committee on Energy and Technology reported through REP. GIANNAROS of the 21st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE CERTIFICATION OF TELECOMMUNICATIONS SERVICE PROVIDERS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (1) of subsection (a) of section 16-247g of the  
2 general statutes is repealed and the following is substituted in lieu  
3 thereof (*Effective October 1, 2002*):

4 (a) (1) Any person may apply to the department for an initial  
5 certificate of public convenience and necessity to offer and provide  
6 intrastate telecommunications services. Such application shall include  
7 such information as the department shall require, and any reasonable  
8 fees, not to exceed actual cost, the department may prescribe, in  
9 regulations adopted pursuant to chapter 54. The department may issue  
10 such certificate and may, as a precondition to certification, require any  
11 applicant to procure a performance bond sufficient to cover moneys  
12 due or to become due to other telecommunications companies for the

13 provision of access to local telecommunications networks, to protect  
14 any advances or deposits it may collect from its customers if the  
15 department does not order that such advances or deposits be held in  
16 escrow or trust, and to otherwise protect customers. Following receipt  
17 of such application, the department [may approve or deny the  
18 application after holding a hearing with notice to all interested parties]  
19 shall give notice of such application to all interested parties. The  
20 department may approve or deny the application after providing the  
21 opportunity for a hearing upon the request of any person.

This act shall take effect as follows:	
Section 1	October 1, 2002

**ET**            *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note****State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>Current FY \$</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
CC&PUCF - Savings	Public Utility Control, Dept.	5,625	7,500	7,500

Note: CC&PUCF=Consumer Counsel and Public Utility Control Fund

**Municipal Impact:** None

**Explanation**

The bill eliminates the requirement for a hearing by the Department of Public Utility Control (DPUC) for a certificate of public convenience and necessity to offer and provide intrastate telecommunications services. The department may allow the opportunity for a hearing upon the request of any person.

The department conducts approximately 15 hearings for these certificates annually. It is estimated that hearings may cost about \$500 each. This includes costs for legal notices, court reporters and staff assistance. With the option of granting a hearing the department could save up to \$7,500 per year.

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**OLR Bill Analysis**

sHB 5205

**AN ACT CONCERNING THE CERTIFICATION OF  
TELECOMMUNICATIONS SERVICE PROVIDERS**

**SUMMARY:**

This bill eliminates the requirement that the Department of Public Utility Control hold a hearing on all applications for certificates to provide intrastate telecommunications services, after notifying all interested parties. Instead, it requires the department to provide an opportunity for a hearing on the application at the request of any person. It requires the department to notify all interested parties of the application, rather than the hearing.

EFFECTIVE DATE: October 1, 2002

**COMMITTEE ACTION**

Energy and Technology Committee

Joint Favorable Substitute

Yea 15      Nay 0